

In re Patent Application of:

HARRIS

Serial No. **09/941,913**

Filing Date: **AUGUST 29, 2001**

REMARKS

The notice of allowable subject matter in Claims 2, 4 and 7 is gratefully appreciated. However, in light of the foregoing amendments to the application, and the discussion set forth below, it is respectfully submitted that each of Claims 1-7 is directed to allowable subject matter. Reconsideration of this application, accordingly, in light of the foregoing amendments and following remarks is respectfully requested.

The rejection of Claims 1-7 under the first paragraph of 35 U.S.C. § 112, as failing to comply with the enablement requirement of the statute, is respectfully traversed.

At the outset, applicant wishes to point out that the present application was written with one of ordinary skill of the art in mind. The applicant is not required to educate the uninitiated.

In the initial portion of the present specification, the selective interconnection of the ports of a diplexer to transmitter and receiver ports of an associated transceiver to comply with an intended frequency plan is discussed.

Reference is directed to the US Patent to Nelson 6,178,312 which describes connecting the transmit and receive ports 71 and 72 of the transceiver 70 to ports 57 and 61, respectively of the diplexer 50 or reversing the connections to ports 61 and 57, respectively of the diplexer 50. Nelson effects these connections by standard sections of cable opposite ends of which contain connectors that will connect to the transmit and receiver ports of the transceiver and the diplexer.

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As is described in the present specification, the cable connectivity problem associated with changing the frequency plan of the radio in the field is effectively obviated by providing each of the radio transceiver and the diplexer with respective pairs of blind-mating RF transmission channel and receiver channel connectors. As described in lines 12-17 on page 5 of the specification, each pair of RF connectors, is supported in a fixed spatial orientation that provides for blind-mating RF connectivity for either of two orientations and translation of the diplexer relative to the receiver. As is further discussed on page 9, lines 8-15 of the specification, rather than use respective sections of relatively fragile and lossy cable to connect one of the two diplexer ports 41/42 to the transmit port of the transmitter section 31 of transceiver 30 and the other diplexer port 42/41 to the receive port of the receiver section 32 of the transceiver 30, the two diplexer ports 41 and 42 are implemented by means of respective first and second blind-mating RF connectors 51 and 52. Applicant submits that it is clearly taught in lines 8-15 on page 9 of the specification that either of the diplexer ports 41/42 may be connected to the transmit port of the transceiver 30 while its other companion port maybe connected to the receive port of the transceiver 30, to specify one of two complementary frequency plans.

Applicant respectfully submits that one of ordinary skill in the art reading the application as originally filed would realize that the two orientations are such that on the one hand transceiver connector 81 would connect with diplexer connector 51 and transceiver connector 82 would connect with diplexer connector 52 for a first frequency plan and that the connections would be reversed for the complementary frequency plan, particularly since the complementary plan is to reverse

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the connections. These reversed connections have been described as two different orientations. Applicant respectfully submits that this was clearly recognized by the Examiner during the initial examination of the present application in view of the discussion in the second full paragraph on page 2 of the Office Action. Applicant submits that it is not a guess, but it is clearly implied by the swapping of the frequency plans and thereby reversing of the connections between the connectors 81 and 82 and connectors 51 and 52.

In order to comply with the suggestion made in the outstanding Office Action, the first full paragraph on page 10 of the specification has been amended to make reference to the use of the two orientations and what each orientation entails. No new matter has been added since the description on page 9 as well as page 10 clearly teaches the reversal of the connections.

In an effort to simplify the requested change to the drawing, to show the second orientation, applicant has amended Figure 5 to show connector 82 connected to connector 51 and connector 81 connected to 52. This is a second orientation of the diplexer and the transceiver relative to that shown in Figure 3. Approval of this drawing correction is earnestly solicited.

With the foregoing amplified description in the specification and the correction to the drawings, it is believed that the objection raised in the first two paragraphs on page 2 of the Office Action has been rectified. Withdraw of the initial ground of rejection under the first paragraph of 35 U.S.C. § 112 is, earnestly, solicited.

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The rejection of Claims 1, 3, 5 and 6 under the provisions of 35 U.S.C. § 102 as being anticipated by the patent to Nelson, is respectfully traversed.

As pointed out above, the patent to Nelson, which is referenced in the initial portion of the present specification, describes the ability to select one of two complementary frequency plans by providing selective connections between transceiver ports 71 and 72 on the transceiver 70, and ports 57 and 61 of the diplexer 50. The connections themselves are made using standard sections of RF cable. There is no description in or is there any suggestion of employing blind-engageable port connectors, as specified in applicant's claims that facilitate connecting up the diplexer to the transceiver in accordance with a selected frequency plan and changing the connection as necessary, to establish a complementary frequency plan. The statement of the rejection on page 3 of the Office Action fails to point to where in the patent to Nelson the use of blind-engageable connectors is to be found. The fact that the statement of the rejection fails to do this is due to the fact that there is no disclosure or suggestion in the patent to Nelson of employing blind-engageable connectors. In the absence of a teaching to employ blind-engaging connectors as applicants have claimed, it is respectfully submitted that each of Claims 1-7 is directed to allowable subject matter.

It is respectfully requested, therefore, that the outstanding Office Action be favorably reconsidered, that each ground of rejection be withdrawn, and that a Notice of Allowability of Claims 1-7 be forthcoming.

However, if the Examiner, upon taking the present application up for action, believes that any further

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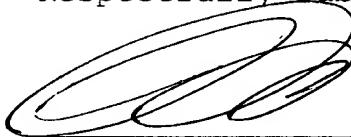
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amendments are in order, he is respectfully requested to contact the undersigned at the telephone number listed below so that such changes may be considered and, where warranted, effected. At present, the prior art does not teach the invention and applicant has not made any amendments to the claims since there is no evidence of record of using blind-fitting connectors in a diplexer/transceiver interface as claimed in Claims 1-7.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: M/S Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on this 24 day of September, 2004.

Dove